

Ariz., alleging that the article had been shipped in interstate commerce on or about April 28, 1943, by Guggenlime & Co., from Fresno, Calif.; and charging that it was adulterated in that it consisted in whole or in part of filthy substances by reason of the presence therein of larvae, webbing, and insect excreta. The article was labeled in part: "Daphne Brand * * * California 50-60 Prunes."

On September 29, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

FRESH FRUIT

Nos. 5358 to 5361 report the seizure of blueberries and huckleberries that were found to contain maggots or larvae, or both.

5358. Adulteration of blueberries. U. S. v. 50 Crates of Blueberries (and 3 additional seizure actions against blueberries). Default decrees of condemnation and destruction. (F. D. C. Nos. 10650 to 10653, incl. Sample Nos. 20875-F to 20878-F, incl.)

On August 20, 1943, the United States attorney for the Western District of New York filed libels against a total of 111 crates of blueberries at Buffalo, N. Y., alleging that the article had been shipped in interstate commerce within the period from on or about August 4 to August 12, 1943, in various shipments under the names McGurl, A. McGurl, or Allen McGurl from Jessup, Peckville, and Scranton, Pa.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance.

On September 20, 1943, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

5359. Adulteration of blueberries. U. S. v. 21 Crates of Blueberries (and 10 additional seizure actions against blueberries). Default decrees of condemnation and destruction. (F. D. C. Nos. 10646 to 10649, incl., 10762 to 10768, incl. Sample Nos. 20119-F, 20282-F to 20284-F, incl., 20288-F, 20289-F, 20768-F, 20774-F, 20776-F, 20779-F, 20780-F.)

Between August 21 and 28, 1943, the United States attorney for the District of Massachusetts filed 11 libels against a total of 132 crates of blueberries at Boston, Mass., alleging that the article had been shipped in interstate commerce within the period from on or about August 19 to 26, 1943, in various shipments by the following shippers: C. K. Allen, North Sedgwick, Maine; Mrs. Addie M. Tufts, Union, N. H.; Alfred G. Wuori, Waldoboro, Maine, Moran & Porusta, So. Lyndeboro, N. H., Eleanor Varnum, Sedgwick, Maine, R. H. Wilkinson, Gardiner, Maine, A. F. Heald, Lincolnville, Maine, John T. Stewart, Lyndeboro, N. H., Carlton Shield, Alton, N. H., Maine Blueberry Growers, Rockland, Maine, and F. A. Kent, Lyndeboro, N. H. It was charged that the article was adulterated in that it consisted in whole or in part of a filthy substance.

On September 20, 1943, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

5360. Adulteration of blueberries and huckleberries. U. S. v. 7 Crates of Blueberries (and 5 additional seizure actions against blueberries and huckleberries). Default decrees of condemnation and destruction. (F. D. C. Nos. 10482, 10483, 10485, 10658, 10807, 10808. Sample Nos. 45134-F, 45136-F, 56140-F, 56615-F, 56617-F, 56618-F.)

On July 24, 30 and August 9 and 24, 1943, the United States attorney for the Southern District of New York filed libels against a total of 86 crates of blueberries and 54 crates of huckleberries at New York, N. Y., alleging that the articles had been shipped in interstate commerce within the period from on or about July 22, 1943, to on or about August 19, 1943, in various consignments by A. McAloose and Paul Salidago from Kelayres, Pa., Gus Kuckenbeaker from Long Pond, Pa., J. J. Gulick from Mahanoy City, Pa., and John Graham from Hammonton, N. J.; and charging that the articles were adulterated in that they consisted in whole or in part of a filthy substance.

On August 16, and September 13 and 17, 1943, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

5361. Adulteration of blueberries and huckleberries. U. S. v. 8 Crates of Blueberries and 9 Crates and 3 Crates of Huckleberries. Default decrees of condemnation and destruction. (F. D. C. Nos. 10654, 10655, 10662. Sample Nos. 23826-F to 23828-F, incl.)

On August 13, 1943, the United States attorney for the Eastern District of Pennsylvania filed libels against 8 crates of blueberries and 12 crates of huckle-

berries at Philadelphia, Pa., alleging that the articles had been shipped in interstate commerce on or about August 12, 1943, by J. Albor, Bessie Ford, Clayton Ford, and James Patton from Green Bank, N. J., and Robert Stewart from Nesco, N. J.; and charging that they were adulterated in that they consisted in whole or in part of filthy substances.

On September 9, 1943, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

FROZEN FRUIT

5362. Adulteration of frozen strawberries. U. S. v. 38 Barrels of Strawberries. Decree of condemnation. Product ordered released under bond. Unfit portion sorted out and destroyed. (F. D. C. No. 10425. Sample No. 13958-F.)

On August 17, 1943, the United States attorney for the Southern District of California filed a libel against 38 barrels, each containing 440 pounds, of frozen strawberries at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about July 24, 1943, by the Diamond Ice & Storage, from Seattle, Wash.; and charging that it was adulterated in that it consisted wholly or in part of moldy berries.

On September 13, 1943, S. A. Moffett, doing business under the name of S. A. Moffett Co., Seattle, Wash., having appeared as claimant, and having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for reconditioning under the supervision of the Food and Drug Administration. Subsequently, on October 21, 1943, the product was reconditioned by sorting out and destroying the unfit portion.

MISCELLANEOUS FRUIT PRODUCTS

5363. Adulteration of apple concentrate. U. S. v. 11 Unlabeled Wooden Kegs of Apple Concentrate. Default decree of condemnation and destruction. (F. D. C. No. 10078. Sample Nos. 14836-F, 15143-F.)

On June 8, 1943, the United States attorney for the Southern District of California filed a libel against 5 10-gallon kegs and 6 15-gallon kegs, all unlabeled, of apple concentrate at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about April 7, 1943, by E. A. Brenner from Wenatchee, Wash.; and charging that it was adulterated in that it contained added poisonous or deleterious substances, lead and arsenic, which might have rendered it injurious to health.

On July 1, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5364. Adulteration of apple pomace. U. S. v. 150 Unlabeled Sacks of Apple Pomace. Default decree of condemnation and destruction. (F. D. C. No. 10047. Sample No. 41390-F.)

This product was stored under very insanitary conditions after shipment in interstate commerce. Some of the bags had been gnawed by rodents; dead roaches were found on the sacks and on the floor near the sacks, and numerous insect webs were found between the sacks.

On June 3, 1943, the United States attorney for the Eastern District of Louisiana filed a libel against 150 unlabeled sacks of apple pomace at New Orleans, La., in the possession of Charles Dennery, Inc., alleging that the article had been shipped in interstate commerce on or about February 14, 1942, from Ravena, N. Y.; and charging that it was adulterated in that it consisted in whole or in part of filthy substances, and in that it had been held under insanitary conditions whereby it may have become contaminated with filth.

On July 26, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5365. Adulteration of fig preserves. U. S. v. 196 Cases of Fig Preserves. Default decree of condemnation and destruction. (F. D. C. No. 8462. Sample No. 9510-F.)

On September 30, 1942, the United States attorney for the Western District of Texas filed a libel against 196 cases of fig preserves at San Antonio, Texas, which had been consigned by the Evangeline Pepper & Food Products Co., alleging that the article had been shipped in interstate commerce on or about July 23, 1942, from St. Martinsville, La.; and charging that it was adulterated in that it consisted wholly or in part of filthy substances, rodent hairs and insects, and in that it had been prepared under insanitary conditions whereby it may have